

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11cr336**

UNITED STATES OF AMERICA,

Vs.

ANTONIO MOSLEY,

Defendant.

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ORDER

THIS MATTER is before the court on defendant's *pro se* motion filed December 4, 2012. captioned "Brief in Support for Affidavit Motion to Dismiss on Grounds of Unconstitutionality, Bad Faith Prosecutorial Misconduct, Select Prosecution, Presumptively Prejudicial, Oppressive Pretrial, Recant Statement by Witness." (#57). Such five-page pleading is packed with legal conclusions, citations to case law, and use of legal phrases and jargon. Careful review of this pleading reveals no grounds for any relief. Such motion is, yet again, not appropriate for the reasons previously stated. L.Cr.R. 47.1(H). The court notes that this is defendant's 22nd *pro se* pleading while represented by counsel.

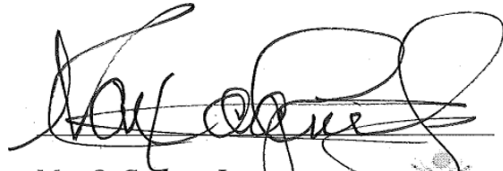
ORDER

IT IS, THEREFORE, ORDERED that defendant's *pro se* motion (#57), to the extent it seeks relief, is **DENIED** for the reasons herein stated as well as in accordance with Rule 47.1(H), L.Cr.R.

The Clerk of Court is instructed to calendar defendant's case, for the final time, for a sentencing hearing.

As petitioner has now filed 22 frivolous *pro se* motions with the court despite being represented by counsel, defendant is advised that the court will go forward with the sentencing on the date set by the Clerk, and he can elect at that time to proceed with his attorney, with any new counsel he may hire in the interim and who is then present, or be prepared to represent himself.

Signed: December 8, 2012



Max O. Cogburn Jr.
United States District Judge